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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Keith R. D'ALESSIO

Group Art Unit: 1732

Application No.: 09/989,387

Examiner: S. McDowell

Filed: November 21, 2001

Docket No.: 109236

For: HALOGENATED POLYMERIC CONTAINERS FOR 1, 1-DISUBSTITUTED
MONOMER COMPOSITIONS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the March 25, 2004 Restriction Requirement, Applicant provisionally elects Groups I and II, claims 1-48, with traverse.

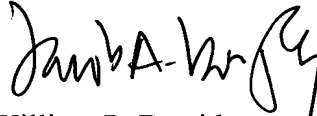
During a telephone conference with Applicant's representative on April 26, 2004, Supervisory Patent Examiner Colaianni informed Applicant that the March 25 Restriction Requirement required election between the claims of Groups II and III. Applicant was further informed that the elected group would be examined along with the claims of Group I, as identified in the March 25 Restriction Requirement. For these reasons, Applicant's election of Groups I and II is fully responsive to the March 25 Restriction Requirement.

It is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden.

See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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WPB:JAD/hs

Date: April 26, 2004

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